

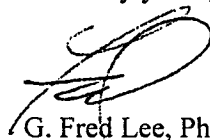
Periodically I have made comments on the problems that I saw with the approach that is being use by CALFED in formulating the urban and industrial stormwater runoff management program. In general I have pointed out that those who have formulated this program have not been active participants in the California Stormwater Quality Task Force, or if they have been involved they are ignoring the substantial information that exists on why a program of the type that CALFED proposed in December, 1996 is technically invalid and could readily result in massive public expenditures with limited or no water quality improvement. In connection with this situation I wish to bring to your attention a copy of my comments on the US EPA proposed California Toxics Rule criteria. I also wish to bring to your attention some comments that I have developed on a temporary waiver approach similar to that adopted in the state of Maine which would exempt urban area and highway stormwater dischargers from having to meet water quality objectives in stormwater runoff during wet weather flow conditions.

At the November 17, 1997 Water Resources Control Board hearing devoted to the implementation of the California Toxics Rule, I introduced the temporary waiver from having to meet water quality standards wet weather flow approach to the State Board. They and others seemed to be interested. It provides an approach which would eliminate the ultimate need for urban area and highway stormwater discharges to have to meet water quality standards in the receiving waters for the discharge. In exchange for this waiver as formulated by me, these discharges would have to demonstrate on a site-specific basis that the exceedances of water quality standards/objectives associated with their discharge, do not represent real water quality use impairments. I will be finalizing this draft temporary waiver in connection with submitting my comments of the WRCB's proposed approach for implementing the California Toxics Rule, by the December 10, 1997 deadline. If you or others in CALFED have comments on the proposed temporary waiver approach, please contact me.

At this time there is considerable confusion as to what is the current CALFED urban and industrial stormwater runoff water quality management program. I hope CALFED is not continuing the approach that it initially formulated in December, 1996 for development and implementation of this program. If it is, it will meet with substantial justified opposition based on its lack of technical validity and gross over-regulation. I suggest that it would be appropriate for CALFED to inform those interested what is the nature of its urban area and industrial stormwater runoff water quality management program.

If you or others in CALFED have questions on the enclosed materials, please contact me.

Sincerely yours,



G. Fred Lee, PhD, DEE

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GFL:jlc
Enclosure